NOTICE OF INTENT

Department of Environmental Quality
Office of the Secretary
Legal Affairs Division

Control Technology Guidelines
(LAC 33:III.111, 2123, and 2143) (AQ296)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.111, 2123, and 2143 (Log #AQ296).

This rule reflects changes made to the lithographic printing materials and letterpress printing materials Control Technology Guidelines (CTG) and the flexible package printing materials CTG that were published in the *Federal Register*, Volume 71, on October 5, 2006, pages 58745-58753. In addition, based on public comment, EPA incorporated an option into the industrial cleaning solvents CTG. In the *Federal Register*, Volume 72, on October 9, 2007, pages 57215-57222, EPA made changes to the paper, film, and foil coatings CTG, and the metal furniture coatings and large appliance coatings CTG. The final CTG for paper, film, and foil coatings have been revised to provide separate applicability recommendations for coating operations and cleaning operations, and the final CTG for metal furniture coatings and large appliance coatings have been revised to reflect a lower volatile organic compound (VOC) content coatings recommendations. The Clean Air Act (CAA) Section 172(c)(1) provides that state implementation plans (SIPs) for nonattainment areas must include reasonably available control measures (RACM), including reasonably available control technology (RACT) for sources of emissions. CAA Section 182(b)(2)(A) provides that for certain nonattainment areas, states must revise their SIPs to include RACT for each category of VOC sources covered by a CTG document issued between November 15, 1990, and the date of attainment. EPA provides states with guidance concerning what types of controls could constitute RACT for a given source category through issuance of a CTG. States can follow the CTG and adopt state regulations to implement the recommendations contained therein, or they can adopt alternative approaches. The states must submit their RACT rules to EPA for review and approval as part of the SIP process. This rule amends the state air regulations to follow the CTG recommendations provided by EPA, which will then be included in the SIP to meet the requirements of the CAA. The basis and rationale for this rule are to meet the CAA requirements for SIP submittals. This proposed rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on January 27, 2009, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. The hearing will also be for the revision to the State Implementation Plan (SIP) to incorporate this proposed rule.

Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Christopher A. Ratcliff at the address given below or at (225) 219-3471. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ296. Such comments must be received no later than February 3, 2009, at 4:30 p.m., and should be sent to Christopher A. Ratcliff, Attorney Supervisor, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3398 or by e-mail to chris.ratcliff@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ296. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

Title 33
ENVIRONMENTAL QUALITY

Part III. Air

Chapter 1. General Provisions
§111. Definitions

A. When used in these rules and regulations, the following words and phrases shall have the meanings ascribed to them below.

* * *

Miscellaneous Metal Parts and Products Coating—the coating of miscellaneous metal parts and products in the following categories:

a. – f. …

g. any other category of coated metal products except those on the specified list in LAC 33:III.2123.C.1-3, 5-7,~~8~~ and 10 of surface coating processes, which are included in the Standard Industrial Classification Code major group 33 (primary metal industries), major group 34 (fabricated metal products), major group 35 (nonelectrical machinery), major group 36 (electrical machinery), major group 37 (transportation equipment), major group 38 (miscellaneous instruments), and major group 39 (miscellaneous manufacturing industries).

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AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:348 (June 1988), LR 15:1061 (December 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:777 (August 1991), LR 21:1081 (October 1995), LR 22:1212 (December 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2444 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:808 (May 2006), LR 32:1599 (September 2006), LR 33:2082 (October 2007), LR 34:70 (January 2008), LR 35:**.

Chapter 21. Control of Emission of Organic Compounds
Subchapter B. Organic Solvents
§2123. Organic Solvents

A. Except as provided in ~~LAC 33:III.2123.~~Subsections B and C of this Section, any emission source using organic solvents having an emission of organic solvents of more than ~~three~~3 pounds (1.3 kilograms) per hour or 15 pounds (6.8 kilograms) per day shall reduce the emission, where feasible, by incorporating one or more of the following control methods:

1. incineration, provided 90 percent of the carbon in the organic compounds being incinerated is oxidized to carbon dioxide (except as provided in ~~LAC 33:III.2123.~~Subsection D of this Section);

2. carbon adsorption, with a control efficiency of at least 90 percent, of the organic compounds;

3. any other equivalent means as may be approved by the administrative authority. Once a source exceeds the emission cutoff specified in this ~~Paragraph~~Section that

source shall be subject and shall remain subject to the requirements of ~~LAC 33:III.2123.A~~this Subsection regardless of future emission rates.

B. Soldering operations, painting and coating operations~~,~~ not listed in ~~LAC 33:III.2123.~~Subsection C of this Section, and dry cleaning operations using organic solvents ~~which~~that are not considered photochemically reactive shall be considered for exemption from the requirements of ~~LAC 33:III.2123~~this Section.

1. – 2. …

C. Surface Coating Industries. No person may cause, suffer, allow, or permit volatile organic compound (VOC) emissions from the surface coating of any materials affected by this Subsection to exceed the emission limits as specified in this Section.

	Daily Weighted Average VOC Emission Limitation	
Affected Facility	**Lbs. per Gal. of Coating as applied (minus water and exempt solvent)**	**Kgs. per Liter of Coating as applied (minus water and exempt solvent)**
1. Large Appliance Coating Industry~~. The following emission limits shall apply:~~		
~~Prime, single, or topcoat application area, flashoff area and oven~~ General, One Component (Baked/Air Dried)	~~2.8~~2.3 / 2.3	~~0.34~~0.275 / 0.275
General, Multi-Component (Baked/Air Dried)	2.3 / 2.8	0.275 / 0.340
Extreme High Gloss (Baked/Air Dried)	3.0 / 2.8	0.360 / 0.340
Extreme Performance (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
Heat Resistant (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
Metallic (Baked/Air Dried)	3.5 / 3.5	0.420 / 0.420
Pretreatment Coatings (Baked/Air Dried)	3.5 / 3.5	0.420 / 0.420
Solar Absorbent (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
2. Surface Coating of Cans~~. The following emission limits shall apply:~~		
Sheet Basecoat (exterior and interior) and over-varnish: Two-piece can exterior (basecoat and over-varnish)	2.8	0.34
Two and three-piece can interior body spray, two-piece can exterior end (spray or roll coat)	4.2	0.51
Three-piece can side-seam spray	5.5	0.66
End sealing compound	3.7	0.44
3. Surface Coating of Coils~~. The following emission limits shall apply:~~		
Prime and topcoat or single coat operation	2.6	0.31
~~4. Surface Coating of Paper. The following emission limits shall apply:~~ ~~Coating Line~~	~~2.9~~	~~0.35~~
~~5~~4. Surface Coating of Fabrics~~. The following emission limits shall apply:~~		
Fabric Facility	2.9	0.35
Vinyl Coating Line (except Plasticol coatings)	3.8	0.45
~~6~~5. Surface Coating of Assembly Line Automobiles and Light Duty Trucks~~. The following emission limits shall apply:~~		
Prime application, flashoff area and oven (determined on a monthly basis)	1.2	0.14
Primer surface application flashoff area and oven	2.8	0.34

Topcoat application, flashoff area and oven	2.8	0.34
Final repair application, flashoff area and oven	4.8	0.58
As an alternative to the emission limitation of 2.8 pounds of VOC per gallon of coating applied for the primer surfacer and/or topcoat application, compliance with these emission limitations may be demonstrated by meeting a standard of 15.1 pounds of VOC per gallon of solids deposited.		
~~7~~6. Surface ~~c~~Coating ~~m~~Magnet ~~w~~Wire ~~c~~Coating~~. The following emission limits shall apply:~~		
Coating Line	1.7	0.20
~~8~~7. Surface Coating of Metal Furniture~~. Volatile organic compound emissions from metal furniture coating lines shall not exceed 3 pounds per gallon (0.36 kg/liter) of coating (minus water and exempt solvent).~~		
General, One Component (Baked/Air Dried)	2.3 / 2.3	0.275 / 0.275
General, Multi-Component (Baked/Air Dried)	2.3 / 2.8	0.275 / 0.340
Extreme High Gloss (Baked/Air Dried)	3.0 / 2.8	0.360 / 0.340
Extreme Performance (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
Heat Resistant (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
Metallic (Baked/Air Dried)	3.5 / 3.5	0.420 / 0.420
Pretreatment Coatings (Baked/Air Dried)	3.5 / 3.5	0.420 / 0.420
Solar Absorbent (Baked/Air Dried)	3.0 / 3.5	0.360 / 0.420
~~9~~8. Surface Coating of Miscellaneous Metal Parts and Products~~. The following emission limits shall apply:~~		
Clear Coat	4.3	0.52
Air or force air dried items (not oven dried)	3.5	0.42
Frequent color change and/or large numbers of colors applied, or first coat on untreated ferrous substrate	3.0	0.36
Outdoor or harsh exposure or extreme performance characteristics	3.5	0.42
No or infrequent color change, or small number of colors applied:		
a. Powder Coating	0.4	0.05
b. Other	3.0	0.36
These limits do not apply to operations covered in 1-~~8~~7 or ~~11~~10 herein or exterior coating of fully assembled aircraft, auto refinishing, and auto customizing topcoating (processing less than 35 vehicles per day).		
~~10 Factory Surface Coating of Flat Wood Paneling. The following emission items shall apply:~~	~~**VOC Emission Limitation**~~	
	~~**Lbs/1000 sq. ft. of Coated Surface**~~	~~**Kgs/100 sq. meter of Coated Surface**~~
9. Factory Surface Coating of Flat Wood Paneling with VOC Emissions Greater Than 15 Pounds Per Day Before Controls		
~~Printed interior wall panels made of hardwood plywood and thin particleboard~~	~~6.0~~	~~2.9~~
~~Natural finish hardwood plywood panels~~	~~12.0~~	~~5.8~~
~~Class II finishes for hardboard paneling~~	~~10.0~~	~~4.8~~
All Inks, Coatings, and Adhesives	2.1	0.25
~~11. Surface Coating for Marine Vessels and Oilfield Tubulars and Ancillary Oilfield Equipment.~~	~~**Daily Weighted Average VOC Emission Limitation**~~	
	~~**Lbs. per Gal. of Coating as applied (minus water and exempt solvent)**~~	~~**Kgs. per Liter of Coating as applied (minus water and exempt solvent)**~~
10. Surface Coating for Marine Vessels and Oilfield Tubulars and Ancillary Oilfield Equipment		
a. Except as otherwise provided in this ~~Rule~~Section, a person shall not apply a marine coating with a VOC content in excess of the following limits:		
Baked Coatings	3.5	0.42

Air-Dried Single-Component Alkyd or Vinyl Flat or Semi Gloss Finish Coatings	3.5	0.42
Two Component Coatings	3.5	0.42
b. Except for the parishes of Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge, in which the VOC limitations in Subparagraph C.~~11~~10.a of this Section may not be exceeded, specialty marine coatings and coatings on oilfield tubulars and ancillary oilfield equipment with a VOC content not in excess of the following limits may be applied:		
Heat Resistant	3.5	0.42
Metallic Heat Resistant	4.42	0.53
High Temperature (Fed. Spec. TT-P-28)	5.41	0.65
Pre-Treatment Wash Primer	6.5	0.78
Underwater Weapon	3.5	0.42
Elastomeric Adhesives With 15 Percent Weight Natural or Synthetic Rubber	6.08	0.73
Solvent-Based Inorganic Zinc Primer	5.41	0.65
Pre-Construction and Interior Primer	3.5	0.42
Exterior Epoxy Primer	3.5	0.42
Navigational Aids	3.5	0.42
Sealant for Wire-Sprayed Aluminum	5.4	0.648
Special Marking	4.08	0.49
Tack Coat (Epoxies)	5.08	0.61
Low Activation Interior Coating	4.08	0.49
Repair and Maintenance Thermoplastic	5.41	0.65
Extreme High Gloss Coating	4.08	0.49
Antenna Coating	4.42	0.53
Antifoulant	3.66	0.44
High Gloss Alkyd	3.5	0.42
Anchor Chain Asphalt Varnish (Fed. Spec. TT-V-51)	5.2	0.62
Wood Spar Varnish (Fed. Spec. TT-V-119)	4.1	0.492
Dull Black Finish Coating (DOD-P-15146)	3.7	0.444
Tank Coatings (DOD-P-23236)	3.5	0.42
Potable Water Tank Coating (DOD-P-23236)	3.7	0.444
Flight Deck Markings (DOD-C-24667)	4.2	0.504
Vinyl Acrylic Top Coats	5.4	0.648
Antifoulant Applied to Aluminum Hulls	4.5	0.55
11. Paper, Film, Foil, Pressure Sensitive Tape, and Label Surface Coating	**Daily Weighted Average VOC Emission Limitation**	
	kg VOC/kg Solids (lb VOC/lb Solids)	**kg VOC/kg Coating (lb VOC/lb Coating)**
Paper, Film, and Foil	0.40	0.08
Pressure Sensitive Tape and Label	0.20	0.067

D. Control Techniques

1. If add-on controls such as incinerators or vapor recovery systems are used to comply with the emission limitation requirements, in terms of pounds per gallon of solids as applied (determined in accordance with Paragraph D.8 of this Section), the volatile organic compound capture and abatement system shall be at least 80 percent efficient overall (90 percent for factory surface coating of flat wood paneling). All surface coating facilities shall submit to the Office of Environmental Services, for approval, design data for each capture system and

emission control device that is proposed for use. The effectiveness of the capture system (i.e., capture efficiency) shall be determined using the procedure specified in Paragraph E.6 of this Section.

2. If a person wishes to use low solvent technology to meet any of the emission limits specified in ~~regulation LAC 33:III.2123.~~Subsection C~~.1-10~~ of this Section and if the technology to be used for any particular application is not now proven but is expected to be proven in a reasonable length of time, he may request a compliance date extension from the administrative authority*. Compliance date extensions will require progress reports every 90 days, or as directed, to show reasonable progress, as determined by the administrative authority, toward technology to meet the specified emission limitation.

3. …

4. Compliance with the alternative emission limit established in ~~LAC 33:III.2123.~~Paragraph C.~~6~~5 of this Section of 15.1 pounds of VOC per gallon of solids deposited shall be determined in accordance with EPA's "Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light Duty Truck Topcoat Operations", EPA 450/3-88-018, December, 1988.

5. …

6. Surface coating facilities on any property in Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge parishes that when controlled have a potential to emit, at maximum production, a combined weight (total from the property) of VOCs less than 10 tons in any consecutive 12 calendar months are exempt from the provisions of Subsection C of this Section. Surface coating facilities on any property in parishes other than Ascension, Calcasieu, East Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge that when uncontrolled have a potential to emit a combined weight of VOCs less than 100 pounds (45 kilograms) in any consecutive 24-hour period are exempt from the provisions of Subsection C of this Section. Any surface coating facility with VOC emissions of less than or equal to 15 pounds (6.8 kilograms) per day is exempt from the provisions of Paragraphs C.1, 8, and 11 of this Section.

7. Soldering and surface coating facilities or portions thereof, may request from the administrative authority* exemption from the requirements of ~~LAC 33:III.2123.~~Subsection C of this Section if all of the following conditions are met:

7.a. – 9. …

E. Testing. Compliance with ~~LAC 33:III.2123.~~Subsections A, C, and D of this Section shall be determined by applying the following test methods, as appropriate.

1. – 7. …

F. Recordkeeping. The owner/operator of any surface coating facility shall maintain records at the facility to verify compliance with or exemption from ~~LAC 33:III.2123~~this Section. The records shall be maintained for at least two years and ~~will~~shall include, but not be limited to, the following:

1. records of any testing done in accordance with ~~LAC 33:III.2123.~~Subsection E of this Section;

2. ~~the owner/operator of any facility subject to LAC 33:III.2123 shall install and maintain~~records of the installation and maintenance of monitors to accurately measure and record operational parameters of all required control devices as necessary to ensure the proper functioning of those devices in accordance with the design specifications, including but not limited to:

2.a. – 4. …

G. Mandatory Work Practices for Surface Coating of Flat Wood Paneling. The owner/operator of any facility performing factory surface coating of flat wood paneling shall comply with the following mandatory work practices:

1. store all VOC coatings, thinners, and cleaning materials in closed containers;

2. minimize spills and clean up spills immediately;

3. convey any coatings, thinners, and cleaning material in closed containers or pipes; and

4. close mixing vessels containing VOC coatings and other material except when specifically in use.

~~G~~H. Definitions

Air Dried Coating—any coating that is cured at a temperature below 90°C (194°F).

Baked Coating—any coating that is cured at a temperature at or above 90°C (194°F).

Extreme High Gloss Coating—any coating that achieves at least 95 percent reflectance on a 60° meter when tested by ASTM Method D-523.

Heat Resistant Coating—any coating that during normal use must withstand temperatures of at least 204°C (400°F).

High Gloss Coating—any coating that achieves at least 85 percent reflectance on a 60° meter when tested by ASTM Method D-523.

High Temperature Coating—any coating that must withstand temperatures of at least 426°C (800°F).

Marine Coating—any coating, except unsaturated polyester resin (fiberglass) coatings, containing volatile organic materials and applied by brush, spray, roller, or other means to ships, boats, and their appurtenances, and to buoys and oil drilling rigs intended for the marine environment.

Metallic Heat Resistant Coating—any coating ~~which~~ that contains more than ~~five~~ 5 grams of metal particles per liter as applied and ~~which~~ that must withstand temperatures over 80°C (175°F).

Repair and Maintenance Thermoplastic Coating—a resin-bearing coating in which the resin becomes pliable with the application of heat, such as vinyl, chlorinated rubber, or bituminous coatings.

~~H~~I. Timing. A facility that has become subject to this regulation as a result of a revision of the regulation shall comply with the requirements of this Section as soon as practicable, but in no event later than one year from promulgation of the regulation revision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 16:119 (February 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 22:340 (May 1996), LR 22:1212 (December 1996), LR 23:1678 (December 1997), LR 24:23 (January 1998), LR 24:1285 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1240 (July 1999), LR 26:2453 (November 2000), LR

28:1765 (August 2002), LR 30:746 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2440 (October 2005), LR 33:2086 (October 2007), LR 35:**.

Subchapter H. Graphic Arts

§2143. Graphic Arts (Printing) by Rotogravure, ~~and~~ Flexographic, Offset Lithographic, Letterpress, and Flexible Package Printing Processes

A. Control Requirements~~.~~

1. After [INSERT DATE ONE YEAR AFTER PROMULGATION], ~~N~~no person shall operate or allow the operation of a packaging rotogravure, publication rotogravure, or flexographic printing facility having a potential to emit 25 TPY or more of VOC in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge; having a potential to emit 50 TPY or more of VOC in the parishes of Calcasieu and Pointe Coupee; or having a potential to emit 100 TPY or more of VOC in any other parish, unless VOC emissions are controlled by one of the methods in ~~P~~Subparagraphs A.~~1-5~~1.a-d of this Section. This requirement applies to affected machines on which both surface coating and printing operations are performed. Line-by-line compliance with these emission limits or control requirements is required. Any cross-line averaging or bubbling must receive approval from the administrative authority*. Once a facility is subject to the provisions of this Section, it remains so regardless of future variations in production.

~~1.~~ a. The solvent fraction of ink, as it is applied to the substrate, less exempt solvent, shall contain~~s~~ 25 volume percent or less of organic solvent and 75 volume percent or more of water. Also acceptable as an alternative limit is ink containing no more than 0.5 pounds of volatile organic compounds per pound of solids. Exempt solvents are those compounds listed in LAC 33:III.2117.

~~2.~~ b. A volatile organic compound adsorption or incineration system ~~having~~shall have at least 9~~0~~5 percent (by weight) control efficiency across the control device, which can be demonstrated to have an overall capture and abatement reduction of at least 85 percent.~~:~~

~~a. 75 percent where a publication rotogravure process is employed;~~

~~b. 65 percent where a packaging rotogravure process is employed;~~

~~c. 65 percent where a flexographic printing process is employed.~~

~~3.~~ c. The ink as it is applied to the substrate, less water and exempt solvent, shall contain~~s~~ 60 percent by volume or more of nonvolatile material.

~~4. This rule applies to affected machines on which both surface coating and printing operations are performed.~~

~~5. Line-by-line compliance with the emission limits or control requirements of this rule is required. Any cross-line averaging or bubbling must receive approval from the administrative authority*.~~

d. Another control method approved by the administrative authority* may be employed.

2. After [INSERT DATE ONE YEAR AFTER PROMULGATION], no person shall operate or allow the operation of a flexible package printing facility having a potential to emit 25 TPY or more of VOC in the parishes of Ascension, East Baton Rouge,

Iberville, Livingston, and West Baton Rouge; having a potential to emit 50 TPY or more of VOC in the parishes of Calcasieu and Pointe Coupee; or having a potential to emit 100 TPY or more of VOC in any other parish, unless VOC emissions are controlled to the applicable control efficiency specified in Subparagraphs A.2.a-d or e of this Section. Once a piece of equipment is subject to the provisions of this Section, it remains so regardless of future variations in production or transfers to different locations.

a. A press that was first installed prior to March 14, 1995, and that is controlled by an add-on air pollution control device (APCD) whose first installation was prior to December 20, 1987, shall have 65 percent control efficiency.

b. A press that was first installed prior to March 14, 1995, and that is controlled by an add-on APCD whose first installation was on or after December 20, 1987, shall have 70 percent control efficiency.

c. A press that was first installed on or after March 14, 1995, and that is controlled by an APCD whose first installation was prior to December 20, 1987, shall have 75 percent control efficiency.

d. A press that was first installed on or after March 14, 1995, and that is controlled by an add-on APCD whose first installation was on or after December 20, 1987, shall have 80 percent control efficiency.

e. As an alternative to Subparagraph A.2.a, b, c, or d, a facility shall meet the average VOC content limit on a single press of 0.8 kg VOC/kg solids applied or 0.16 kg VOC/kg materials applied.

3. After [INSERT DATE ONE YEAR AFTER PROMULGATION], no person shall operate or allow the operation of an offset lithographic or letterpress printing facility having a potential to emit 25 TPY or more of VOC in the parish of Ascension, East Baton Rouge, Iberville, Livingston, or West Baton Rouge; having a potential to emit 50 TPY or more of VOC in the parish of Calcasieu or Pointe Coupee; or having a potential to emit 100 TPY or more of VOC in any other parish, unless VOC emissions are controlled by one of the methods in Subparagraphs A.3.a-c of this Section. Once a facility is subject to the provisions of this Section, it remains so regardless of future variations in production. Determination of potential to emit, for the purposes of applicability, shall be made without respect to any VOC control device.

a. Control for heatset web offset lithographic processes, letterpress dryers, and the volatilization of inks in a letterpress dryer shall be accomplished by:

i. a control device with at least 90 percent control efficiency for control devices installed prior to [INSERT DATE OF PROMULGATION]. The installation date does not change if the control device is later used to control a new or different press;

ii a control device with at least 95 percent control efficiency for control devices installed on or after [INSERT DATE OF PROMULGATION]; or

iii a control device that limits the control device outlet concentration to 20 ppmv or less as hexane on a dry basis.

b. Control for offset lithographic fountain solution processes emitting more than 15 pounds per day shall be accomplished as follows:

i. heatset printing—limit the amount of alcohol by weight to 1.6 percent or less;

ii. sheet-fed printing—limit the amount of alcohol by weight to 5 percent or less. Sheet-fed presses with sheet size of 11 x 17 inches or smaller or any press with a total fountain solution reservoir of less than 1 gallon are exempt;

iii. coldset printing—limit the amount of alcohol by weight to 5 percent or less as applied.

c. Another control method approved by the administrative authority* may be employed.

4. Control for cleaning materials for those facilities where actual emissions from lithographic and letterpress printing operations are greater than 15 pounds per day (before consideration of controls) shall be accomplished by one of the following methods.

a. Cleaning materials shall contain a VOC composite with a vapor pressure of less than 10 mm Hg (0.19 psi) at 20°C or contain less than 70 percent VOC by weight.

b. Cleaning materials and used shop towels shall be kept in closed containers except when actually in use.

c. For blanket washing, roller washing, plate cleaners, metering roller cleaners, impression cylinder cleaners, rubber rejuvenators, and other cleaners used for cleaning a press or press parts, or to remove dried ink around a press, any amount greater than 110 gallons of cleaning materials per year shall meet either the low VOC composite vapor pressure requirement or the lower VOC requirement.

5. Control for cleaning materials for those facilities where actual emissions from flexible package printing operations are greater than 15 pounds per day (before consideration of controls) shall be accomplished by one of the following methods.

a. Cleaning materials and used shop towels shall be kept in closed containers except when actually in use.

b. Cleaning materials shall be conveyed from one location to another in closed containers or pipes.

6. Control for cleaning materials for those facilities where actual emissions from printing operations are greater than 15 pounds per day (before consideration of controls) shall be accomplished by one of the following methods.

a. Cleaning materials and used shop towels shall be kept in closed containers except when actually in use.

b. For blanket washing, roller washing, plate cleaners, metering roller cleaners, impression cylinder cleaners, rubber rejuvenators, and other cleaners used for cleaning a press or press parts, or to remove dried ink around a press, any amount greater than 110 gallons of cleaning materials per year shall meet either the low VOC composite vapor pressure requirement or the lower VOC requirement.

B. ~~Applicability~~ Exemptions~~. A rotogravure or flexographic printing facility that has the potential to emit, at full production (8760 hours per year basis), a combined weight of VOC of less than 25 TPY in the parishes of Ascension, East Baton Rouge, Iberville, Livingston, and West Baton Rouge; less than 50 TPY in the parishes of Calcasieu and Pointe Coupee; or less than 100 TPY in any other parish, calculated from historical records of actual consumption of ink, is exempt from the provisions of Subsections A and C of this Section and need only comply with Subsection D of this Section.~~

1. For those facilities where actual emissions from packaging rotogravure and publication rotogravure printing operations are greater than 15 pounds per day (before consideration of controls) and where the potential to emit is less than 25 TPY of VOC on a per press basis before controls, only the cleaning materials control requirements in Paragraph A.6 of this Section are applicable.

2. The following equipment or processes are exempt from meeting the requirements of Paragraph A.6 of this Section:

a. heatset web offset lithographic printing operations and heatset web letterpress printing operations with the potential to emit from the dryer, prior to controls, an amount equal to or less than 25 tons VOC (petroleum ink oil) per year, provided that an enforceable limit on potential emissions is obtained to keep an individual heatset press below the 25 TPY potential to emit threshold;

b. heatset presses used for book printing and presses with a maximum web width of less than or equal to 22 inches; and

c. operations with emissions from sheet-fed or coldset webinks, sheet-fed or coldset varnishes, waterborne coatings, and radiation cured materials.

C. – E. …

F. Operating, Monitoring, and Maintenance Procedures. Operating, monitoring, and maintenance procedures for the facilities and equipment subject to the requirements of this Section shall be incorporated into the housekeeping plan required by LAC 33:III.2113.A.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:964 (November 1990), LR 18:1123 (October 1992), LR 22:1212 (December 1996), LR 24:25 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1796 (October 1999), LR 28:1765 (August 2002), LR 30:746 (April 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 34:1892 (September 2008), LR 35:**.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES LOG #: AQ296

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Rule Title: Control Technique Guidelines
LAC 33:III.111, 2123, and 2143
Date Rule Takes Effect: Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no expected implementation costs or savings to state or local governmental units from the proposed rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

No effect on revenue collections of state or local governmental units is expected as a result of the proposed rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Based on the comments received from the Advanced Notice of Rulemaking, there are minimal estimated costs or economic benefits to directly affected persons or non-governmental groups from the proposed rule. The proposed changes, which are consistent with Control Technology Guideline recommendations provided by EPA and which will be included in the State Implementation Plan to meet federal Clean Air Act requirements, are primarily incremental and are not anticipated to result in a significant impact to industry.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition or employment by the proposed rule.

Signature of Agency Head or Designee

Legislative Fiscal Officer or Designee

Herman Robinson, CPM, Executive Counsel
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

This rule reflects changes EPA made to its Control Technology Guidelines (CTG) for reducing volatile organic compounds (VOC). In the *Federal Register* on October 5, 2006, EPA made several substantive changes to the lithographic printing materials and letterpress printing materials CTG and the flexible packaging printing materials CTG. In addition, based on public comment, EPA incorporated an option into the industrial cleaning solvents CTG. In the *Federal Register* on October 9, 2007, EPA made changes to the paper, film, and foil coatings CTG and metal furniture coatings and large appliance coatings CTG. The final CTG for paper, film, and foil coatings has been revised to provide separate applicability recommendations for coating operations and cleaning operations, and the final CTG for metal furniture coatings and large appliance coatings have been revised to reflect a lower VOC content coatings recommendations.

B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The Clean Air Act (CAA) section 172(c)(1) provides that state implementation plans (SIPs) for nonattainment areas must include "reasonably available control measures (RACM)," including reasonably available control technology (RACT), for sources of emissions. CAA section 182(b)(2)(A) provides that for certain nonattainment areas, states must revise their SIPs to include RACT for each category of VOC source covered by a CTG document issued between November 15, 1990, and the date of attainment. EPA provides states with guidance concerning what types of controls could constitute RACT for a given source category through issuance of a CTG. States can follow the CTG and adopt regulations to implement the recommendations contained therein, or they can adopt alternative approaches. In either event, states must submit their RACT rules to EPA for review and approval as part of the SIP process. The department is submitting these rules for adoption to follow the CTG recommendations provided by EPA, which will then be included in the SIP to meet the requirements of the CAA.

C. Compliance with Act 11 of the 1986 First Extraordinary Session
(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No increase in expenditures is expected.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ____ Yes. If yes, attach documentation.
(b) ____ No. If no, provide justification as to why this rule change should be published at this time.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY08-09	FY09-10	FY10-11
PERSONAL SERVICES	0	0	0
OPERATING EXPENSES	0	0	0
PROFESSIONAL SERVICES	0	0	0
OTHER CHARGES	0	0	0
EQUIPMENT	0	0	0
TOTAL	0	0	0
MAJOR REPAIR & CONSTR	0	0	0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule should not result in any increase or decrease in costs to implement the proposed action.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY08-09	FY09-10	FY10-11
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
DEDICATED	0	0	0
FEDERAL FUNDS	0	0	0
OTHER (Specify)	0	0	0
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The agency has sufficient funds to implement the proposed rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There should be no impact from the proposed action on local governmental units.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY08-09	FY09-10	FY10-11
STATE GENERAL FUND	0	0	0
AGENCY SELF-GENERATED	0	0	0
RESTRICTED FUNDS*	0	0	0
FEDERAL FUNDS	0	0	0
LOCAL FUNDS	0	0	0
TOTAL	0	0	0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This question is not applicable.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Based on the comments received from the Advanced Notice of Rulemaking, there are minimal estimated costs or economic benefits to directly affected persons or non-governmental groups from the proposed rule. The proposed changes, which are consistent with Control Technology Guideline recommendations provided by EPA and which will be included in the State Implementation Plan to meet federal Clean Air Act requirements, are primarily incremental and are not anticipated to result in a significant impact to industry.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This question is not applicable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

Based on the comments received from the Advanced Notice of Rulemaking, there will be no impact from the proposed rule on competition or employment in the public or private sector.